

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

OLUWASEUN DAVID OLUYOLE,

Defendant.

CASE NO. 8:04CR21

JUDGMENT

In accordance with the Memorandum and Order entered on this date:

IT IS ORDERED:

1. Defendant's motion Under 28 U.S.C. 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody (Filing No. 34) is denied;
2. Defendant's motion for summary judgment (Filing No. 38) is denied;
3. Defendant's motion to amend his § 2255 motion (Filing No. 41) is granted;
4. Defendant's motion to expedite (Filing No. 46) is denied as moot;
5. Defendant's motion to amend brief (Filing No. 47) is denied as moot;
6. Defendant's motion to have procedural default excused (Filing No. 50) is denied as moot;
7. Defendant's motion for action regarding the § 2255 motion (Filing No. 52) is granted;
8. The Clerk is directed to mail a copy of this Judgment to the defendant at his last known address.

DATED this 7th day of March, 2006.

BY THE COURT:

s/Joseph F. Bataillon
JOSEPH F. BATAILLON
UNITED STATES DISTRICT JUDGE